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U.S. DISTRICT COURT
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TX EASTERN-BEAUMONT
BY BC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JENNINGS TYSON GODSY,

Plaintiff,

v.

NATIONAL BOARD OF MEDICAL
EXAMINERS,

Defendant.

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CIVIL ACTION NO. 1:04CV53 (TH)
JURY

ORDER SPECIALLY SETTING CIVIL ACTION FOR TRIAL

The Court **SPECIALLY SETS** the above captioned case for jury selection and trial on Tuesday, September 7, 2004 at 9:00 a.m. Each side will be allotted ten (10) hours of trial time.

The *Scheduling Order* [Clerk's Docket No. 18] entered June 7, 2004 is hereby **AMENDED** in the following respects:

August 6, 2004 Deadline to file dispositive motions. Summary judgment motions, responses and replies must comply with the requirements set forth in LOCAL RULE CV-56. Responses must be filed not more than five (5) business days later.

August 13, 2004 Disclosure of expert testimony. After reports have been disclosed, experts may be deposed.

August 20, 2004 Deadline to file motions objecting to experts. Motions to exclude expert testimony shall be accompanied by copies of both the expert's report and deposition testimony. Responses must be filed not more than five (5) business days later.

August 25, 2004 Discovery deadline. No discovery, with the exception of discovery of experts, may be conducted after this date absent court order specifically approving.

August 27, 2004 Plaintiff's portion of pre-trial order sent to defendant. Plaintiff shall serve its portion of the pre-trial order upon defendant in both hard copy and computer diskette format.

August 30, 2004 Notice of intent to offer certified business records. Parties must give written notice of intent to offer certified business records pursuant to FEDERAL RULES OF EVIDENCE 902(11) and 902(12).

August 30, 2004 Joint final pre-trial order due. Defense counsel is responsible for assembling the parties' submissions and delivering the proposed order to the Court. *See* Appendix D to the LOCAL RULES.

August 30, 2004 Pre-trial objections due. Objections¹ to use of depositions, documents, certified business records, summaries of evidence and exhibits at trial.

August 30, 2004 Proposed jury instructions and verdict form due. Counsel for plaintiff is responsible for submitting the joint proposed jury instructions and verdict form in both hard copy and computer diskette (WordPerfect compatible) form. Counsel must include a citation to the source of each proposed instruction. Those portions of the instructions on which counsel cannot agree shall be set be set forth in bold face type.

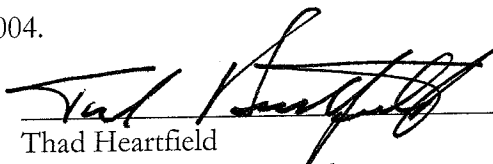
August 30, 2004 Motions in limine due.

September 1, 2004 Responses to motions in limine due.

September 1, 2004 Pre-marked exhibit list due.

SO ORDERED.

SIGNED this the 30th day of July, 2004.



Thad Heartfield
United States District Judge

¹ Objections not made at this time, with the exception of objections under FEDERAL RULES OF EVIDENCE 402 and 403, shall be deemed waived.